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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/033,525	12/28/2001	Rajasekhar Pullala	1298/1F986-US2	7823

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EXAMINER

LE, DINH THANH

ART UNIT PAPER NUMBER

2816

DATE MAILED: 08/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/033,525

Applicant(s)

PULLELA ET AL.

Examiner

DINH T. LE

Art Unit

2816

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 27 May 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

NON-FINAL REJECTION

Response to Applicant's Amendment

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the recitation "transmission lines" in claim 6 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

The specification is objected to in that "T11", "T12", "R3" and "R4" as mentioned on line 14 at page 4 of the present specification are not shown on Figure 3A. Correction is required.

Claims Objection

Claim 4 is objected to in that the "transmitters" on line 2 should be corrected as – transistors—and claim 13 is a duplicate of claim 12. Correction is required.

Claim Rejections

Claim Rejections - 35 USC § 112

Claims 6-16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Correction or clarification is required.

In claim 6, it is unclear how the recitation “transmission lines” is read on the preferred embodiment. Insofar as understood, no such lines are seen on the drawings.

In claim 8, it is unclear how the recitation “at least one latch pair” including two independent combined trans-admittance and trans-impedance stages” is read on the preferred embodiment. Insofar as understood, no such pair and stages can be determined on the drawings. Also, the recitation “output current” on line 3 and “stages” on line 4 is confusing because it is unclear if this is an additional “output current” and “stages” or a further recitation previously claimed “output current” and “stages” in claim 7. The same is true for claims 9 and 15.

In claim 12, the recitation “the last latch pair” lacks antecedent basis. It is unclear where the last latch pair comes from. The same is true for claim 13.

In claim 14, the description of the claimed invention is incomplete because the claimed latch pair does not have an input and output. Thus, the claimed pair may not perform the recited function. Also, it is unclear how the trans-admittance stage can be combined with the trans-admittance stage “independently.

The remaining claims are dependent from the above rejected claims and therefore also considered infinite.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 7 is rejected under 35 USC 102 (b) as being anticipated by Figures 1 of the applicant's admitted prior art.

The admitted prior art discloses in Figure 1 a latch circuit comprising a clocked trans-admittance stage latch (110) having transistors (T1-T6) for receiving an input voltage (V_{in}) and producing an output current to the load resistors (R1, R2).

Claims 1-7 and 12-16 are rejected under 35 USC 102 (e) as being anticipated by Harada et al (US 6,023,363).

Harada et al discloses in Figure 6 a circuit comprising two independent combined trans-admittance stage having transistors (T31-T34, T41, T42) and an active load having a trans-impedance stage (T11-T12). Note that the transmission lines are interpreted as the wirings used to connect the transistors together.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 and 3-7 are rejected under 35 USC 102 (a) as being unpatentable over Figure 1 of the applicant's admitted prior art in view of Swiatowiec et al (US 3,917,959).

The admitted prior art discloses in Figure 1 a circuit comprising a clock trans-admittance circuit (110) having a first to second transistors (T1-T2) for receiving the signals (clk, clb), a third and fourth transistor for receiving the voltages (V-in, V_inb), and a load (120) but does not disclose that the load is the active load. Swiatowiec et al teaches in Figure 2 a latch circuit comprising an active load comprising transistors (122, 130) for adjusting the load resistance since the transistors (122, 130) function as the variable resistors. It would have been obvious to a person having skill in the art at the time the invention was made to employ the active load taught by Swiatowiec et al in the circuit of the admitted prior art for the purpose of adjusting the load resistance.

With regard to claim 6, the transmission lines are the connecting lines from the latch (110) to the load (120) for transmitting the currents.

Response to Applicant's Arguments

The applicant argues that the load in Figure 1 of the admitted prior art is a passive load. The argument is persuasive. However, this limitation is disclosed in the Swiatowiec et al reference and the Harada et al reference as discussed above.

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Allowable Subject Matter

Claims 8-11 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims. The claims would be allowable because the prior art does not show a second latch pair.

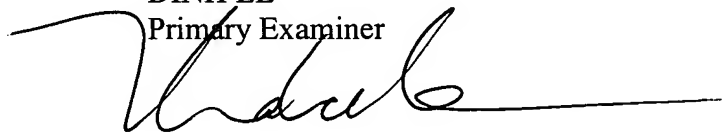
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Dinh Le whose telephone number is (703) 305-3790. The examiner can normally be reached on Monday to Friday from 7:00 A.M. to 5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim Callahan, can be reached on (703) 308-4876. The fax phone number for this Group is (703) 308-7725.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

DINH LE
Primary Examiner

A handwritten signature in black ink, appearing to read 'Dinh Le', is written over the printed name and title.